

May 24, 1940

1940 Cotton Marketing Quota Letter No. 2

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

To all Administrative Officers and State Committeemen,
Agricultural Adjustment Administration,
Southern Region



Re: Distribution and Use of Forms

The following forms, which were used during the 1939-40 marketing year, will be used in the same manner in connection with marketing quotas for the 1940-1941 marketing year:

Cotton 324	Cotton 355	Standard Form No. 1047 (overprinted)
325	356	1048 (overprinted)
325-A	358	
354	359	

In accordance with ~~a determination~~ to standardize the forms on which county office records and reports are made, the following forms have been designed so that they may, in the absence of material changes in the Act and regulations, be suitable for use during succeeding marketing years:

Cotton 409	Cotton 419-A	Cotton 451
410	420	452
410-A	424	453
417	450	457
418	450-A	456
419		

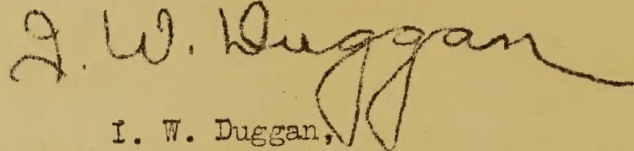
It is contemplated that the only forms which will be changed each marketing year are the marketing cards and the ginners' and buyers' reports.

In view of the fact that the above-listed forms for the 1939-40 marketing year will be used again this year, any supplies of such forms in the State and county offices should be determined and maintained in the best possible condition. Although the exact extent to which forms Cotton 361, 362, 363, 364 and 365 will be used in connection with the audit for the 1940-1941 marketing year is unknown at this time, the supplies of such forms should be kept available until further instructions in this regard are issued. Persons in charge of marketing quotas for the State and in the county offices are urged to reduce the waste of forms to a minimum. This request is particularly applicable with respect to the forms with inserted carbon paper (speediset forms).

As of April 1, 1941, each county office shall ascertain the usable quantity of the various unused standardized forms on hand and report such information to the State office. The data acquired through this report

should enable the State office to discover irregularities in connection with the use of various forms, provide a reliable basis for county distributions, and increase the accuracy of the original orders for supplies of the forms which are forwarded to this Division.

Very truly yours,

A handwritten signature in dark ink, appearing to read "I. W. Duggan". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

I. W. Duggan,
Director, Southern Division

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

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July 25, 1940.

To All Administrative Officers and State Committeemen,
Agricultural Adjustment Administration,
Southern Region.



Re: Claims for refunds of amounts
covered into the general fund
of the Treasury.

This is with reference to the filing of claims with the Secretary of Agriculture for refunds of cotton marketing quota penalties which were erroneously, illegally, or wrongfully collected and covered into the general fund of the Treasury.

Section 372(c) of the Agricultural Adjustment Act of 1938, as amended, has recently been amended to provide, among other things, for an extension of the period during which a claim may be filed. The law formerly required that a claim be filed within one year from the date the money was remitted to the Secretary of Agriculture. The amendment extends the time limit to two years. This section, as amended, reads as follows:

"(c) Whenever, pursuant to a claim filed with the Secretary within two years after payment to him of any penalty collected from any person pursuant to this Act, the Secretary finds that such penalty was erroneously, illegally, or wrongfully collected and the claimant bore the burden of the payment of such penalty, the Secretary shall certify to the Secretary of the Treasury for payment to the claimant, in accordance with regulations prescribed by the Secretary of the Treasury, such amount as the Secretary finds the claimant is entitled to receive as a refund of such penalty.

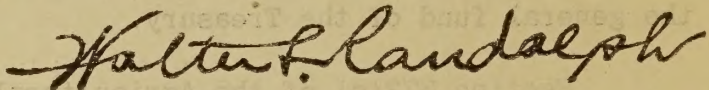
"Notwithstanding any other provision of law, the Secretary is authorized to prescribe by regulations for the identification of farms and it shall be sufficient to schedule receipts into special deposit accounts or to schedule such receipts for transfer therefrom, or directly, into the separate fund provided for in subsection (b) hereof by means of such identification without reference to the names of the producers on such farms.

"The Secretary is authorized to prescribe regulations governing the filing of such claims and the determination of such refunds."

The extension of the statutory period applies to the filing of claims in connection with penalties erroneously, illegally, or wrongfully collected during the 1938-39 and 1939-40 marketing years, as well as to subsequent marketing years. This extension should be of particular benefit to persons who erroneously paid penalties in connection with the pledging of cotton to the Commodity Credit Corporation, since in many instances the penalties were collected and remitted to the Secretary in the latter part of 1938 and the possibility of making refunds to them did not become apparent until after the one year period had expired.

Please make this information available to the county offices.

Very truly yours,



Walter L. Randolph,
Acting Director,
Southern Division.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

July 25, 1940.

To All Administrative Officers and State Committeemen,
Agricultural Adjustment Administration,
Southern Region.



Re: Recording on Form 451 the weight of the
bagging and ties for a bale produced on
two or more farms.

There has been presented the following question in connection
with the procedure contained in item 3 of section 218 (b) of Cotton
408-Part II:

Question: In what manner should the weight of the bagging and
ties be indicated in column 4, 8, or 12 of Form 451 in cases where a
bale of cotton was produced on two or more farms?

Answer: The bagging and ties should be indicated as that frac-
tion of the total weight of the bagging and ties which the weight of
the bagging and ties attributed to the portion of the bale (as shown
in column I or J of Form 416, or on the gin bale ticket or receipt)
for each farm bears to the total weight of the bagging and ties for the
bale. For example, if the bagging and ties for a bale produced on two
farms weigh 22 pounds, and 10 pounds of the total weight were attributed
to the first farm and 12 pounds were attributed to the second farm, the
entry in column 4, 8, or 12 of Form 451 for the first farm would be
10/22, and for the second farm would be 12/22. The total weight of the
bagging and ties as shown in column 15 of Form 451 for each farm in such
cases would be determined by adding to the weight of the bagging and
ties for the whole bales the sum of the fractional amounts in columns 4,
8, and 12 of Form 451 for the balance period or subdivision thereof.
The fractional amounts should also be used in determining the total num-
ber of bales ginned for the farm.

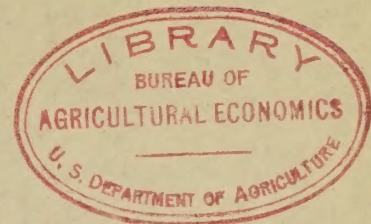
Yours very truly,

Walter L. Randolph,
Acting Director,
Southern Division.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

July 29, 1940.

To All Administrative Officers and State Committeemen,
Agricultural Adjustment Administration,
Southern Region.



Re: Execution of Part IV of Form 457

The following question has been presented in connection with item 10 of section 213(b) and item 3 b of section 214 of Cotton 408-Part II:

Question: When unallocated cotton is returned to a county, the amount of such cotton is required to be shown in Part IV of the next letter of transmittal on Form 457 prepared and mailed to the county which returned such cotton. In cases where the next letter of transmittal will not be prepared and mailed within the balance period in which the returned cotton was received, what procedure should be followed to advise the county returning such cotton that the amount has been deducted from the total amount of cotton extracted to the latter county?

Answer: The county to which the unallocated cotton was returned should prepare a letter of transmittal on Form 457 in the regular series and send it to the county which returned the unallocated cotton in the manner outlined in section 213(b) of the instructions, with the following exceptions:

1. Parts I and II of Form 457 shall not be executed.
2. In Part III of Form 457 enter the information appearing in Part III or Part V, if executed, of the immediately preceding letter of transmittal for the county.
3. In Part IV of Form 457 enter the information concerning the unallocated cotton in the manner outlined in item 10 of section 213(b) of the instructions.
4. Part V of Form 457 shall be executed as outlined in item 11 of section 213(b) of the instructions.

Very truly yours,

Walter L. Randolph,
Acting Director,
Southern Division.

